

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

EXAMINER INTERVIEW SUMMARY

A telephonic interview took place on August 24, 2010 between Examiner Elisca and counsel of record Steven C. Becker. The participants generally discussed the items listed on the Continuation Sheet to Applicant Initiated Interview Request Form (attached). Examiner Elisca agreed to review the specification to identify potential amendments to the claims to advance prosecution. No agreement was reached.

Examiner Elisca phoned back the following week to explain that he did not find any such amendments to the claims.

On September 23, 2010, the undersigned then spoke with Examiner Peter Vo regarding the examination, explaining that the current Final Rejection was not clear on its face. Examiner Vo asked that an agenda of the issues for discussion be submitted in writing for a subsequent call.

On October 19, 2010, the undersigned again spoke with Examiner Peter Vo. Examiner Vo invited an appeal because of the breadth of the claims, but indicated that a call could be put into Examiner Dmitri Susol, who was closer to the matter.

On October 20, 2010, Examiner Susol directed the undersigned to Examiner Andrew Fisher. Examiner Fisher discussed the application with the undersigned, including the scope and meaning of Claim 30, including the meaning of the term “location circuit.” Examiner Fisher then invited the undersigned to submit a written response to the Final Office Action. Examiner Fisher reassigned the application to a new examiner. No agreement as to allowance was reached.

CLAIM REJECTIONS – 35 U.S.C. § 103

On page 2 of the Office Action, the Examiner rejected claims 30-54 and 56-59 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,292,147 to Ham (“Ham”) and U.S. Patent No. 6,516,190 to Linkola (“Linkola”) in view of U.S. Patent No. 7,376,586 to Partovi (“Partovi”). This rejection is respectfully traversed.

Linkola does not teach pricing an object. Linkola uses the term “object” to describe parts of its system. (Fig. 2, “billing object”, “locator object”). Linkola describes calculating a charge for calls made from a mobile device. (Linkola 1:9-11). Linkola does not describe “setting a price for selling the object” as recited in Claim 30.

The rationale for combining Linkola and Ham is not understood. The rationale for combining Partovi with Linkola and Ham is not understood. Clarification of this rationale, or withdrawal of the rejection, is respectfully requested.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date /October 28, 2010/_____

By /Steven C. Becker/_____

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